

# **CITY OF NEWPORT**

## **DOCKET OF THE COUNCIL MEETING**

### **MAY 14, 2014**

The following items of business, filed with the City Clerk under the Rules of the Council, will come before the Council at its regular meeting to be held on May 14, 2014, at 6:30 p.m.

#### ***PLEDGE OF ALLEGIANCE TO THE FLAG***

#### **PROCLAMATION RECOGNIZING INTERNATIONAL NAVY STUDENT CLASS 180**

**CITIZENS' FORUM:** (Speakers must sign in with the City Clerk). The Citizens' Forum period shall be no longer than fifteen minutes and citizens may address the Council on **one subject only and for no longer than three minutes**. Issues to be discussed shall not include matters to be considered or discussed as part of the regular council agenda and must be related to substantive city business. No comments regarding personnel or job performance are allowed.

1. **CONSENT CALENDAR.** (THE CONSENT CALENDAR IS APPROVED IN ITS ENTIRETY UNLESS THE COUNCIL REMOVES AN ITEM FOR DISCUSSION. ALL LICENSES ARE GRANTED SUBJECT TO COMPLIANCE WITH ORDINANCES #31-80 AND #98-40.)
  - a. Minutes of the Council Meetings held: March 12 and 26; April 9 and 23, 2014 (Approve)
  - b. Special Event Licenses:

It is the practice of the Council to meet at 6:20 p.m. in the second-floor Conference Room to discuss docket items. The public is invited to attend. The docket, along with all supporting documents, can be viewed on the City of Newport website: [www.cityofnewport.com](http://www.cityofnewport.com) – “Services” – “Council Agendas & Minutes.” Council Meetings can be viewed on Cox Cable, Channel 18; check local listings for dates and times. A DVD of the Council Meeting will be available at the Newport Public Library within 48 hours of the meeting.

LIVE VIDEO CONFERENCING OF COUNCIL MEETINGS AND WORKSHOPS WILL BE MADE AVAILABLE AT THE NEWPORT POLICE STATION, WHICH IS ACCESSIBLE AND MEETS ADA REQUIREMENTS, **BASED UPON NOTIFICATION TO THE CITY CLERK'S (845-5351) OR CITY MANAGER'S OFFICE (845-5429) A MINIMUM OF 48 HOURS IN ADVANCE OF THE MEETING.** INDIVIDUALS REQUIRING INTERPRETER OR OTHER ACCOMMODATIONS MUST NOTIFY THE CITY MANAGER'S OFFICE ONE WEEK IN ADVANCE OF THE MEETING.

- 1) Bike Newport, d/b/a Bike to Work Day; Eisenhower Park, May 16, 2014, from 6:00 a.m. to 9:00 a.m., and 3:00 p.m. to 7:00 p.m.
- 2) Leukemia & Lymphoma Society, d/b/a Fundraiser; Newport Art Museum; 76 Bellevue Ave., May 16, 2014, from 6:00 p.m. to 9:00 p.m.
- 3) Fort Adams Trust/Warrior Challenge, d/b/a Warrior Challenge/Obstacle Course Challenge; Fort Adams State Park, June 7, 2014, from 9:00 a.m. to 5:00 p.m.
- 4) Elmwal Associates, LLC, d/b/a Free Summer Concert Series; Shops at Long Wharf, all Saturdays from May 24 through October 11, and on Friday July 4, 2014, from 1:00 p.m. to 5:00 p.m.
- 5) SVF Foundation, d/b/a Annual Visitors Day; 162 Harrison Ave.; June 14, 2014, from 9:00 a.m. to 3:00 p.m.
- 6) Redwood Library & Athenaeum, d/b/a One Summer Evening in Newport Fundraiser - Gala; Redwood Library & Athenaeum, 50 Bellevue Ave., July 12, 2014, from 6:30 p.m. to 11:00 p.m.
- 7) International Yacht Restoration School, d/b/a IYRS Summer Gala; 449 Thames St., July 12, 2014, from 6:00 p.m. to 12 Midnight.
- 8) The Rhode Island Arts Foundation at Newport, Inc., d/b/a Newport Music Festival Summer Gala; Rosecliff, 548 Bellevue Ave., July 18, 2014, from 7:00 p.m. to 11:00 p.m.
- 9) Jesus Saviour Church, d/b/a Summer Bazaar; 1 Vernon Ave., July 24, 25 and 26, 2014, from 7:00 p.m. to 12 Midnight.
- 10) The Colonial Dames of RI (East Bay), d/b/a East Bay Colonial Dames of RI Honoring the Wounded Warrior Project; Cardines Field, Sept. 1, 2014, from 2:00 p.m. to 3:00 p.m.

- 11) NewportFILM, d/b/a NewportFILM Summer 2014; July 10, Queen Anne Sq.; July 18, International Tennis Hall of Fame; July 31, Marble House; August 14, Easton's Beach; August 21, Rough Point; and September 4, Rose Island (See attached schedule)
  - 12) Brick Market Association, d/b/a Saturdays at Brick Market; Brick Market Place—2<sup>nd</sup> Row, May 24, 31; June 7, 14, 21, and 28, 2014, from 10:00 a.m. to 7:00 p.m.
- b. Request of Fort Adams Trust to amend the hours of their approved Special Event License to extend the hours of the June 29, 2014, concert by one hour, to 7:00 p.m. (Approve)
  - c. Bingo License, Jesus Saviour Church, d/b/a Summer Bazaar, 1 Vernon Ave., July 24, 25 and 26, 2014, from 7:00 p.m. to Midnight.
  - d. Food Concession License, Jesus Saviour Church, d/b/a Summer Bazaar, 1 Vernon Ave., July 24, 25 and 26, 2014, from 7:00 p.m. to 12 Midnight.
  - e. Food Concession License, Jesus Saviour Church, d/b/a Holy Ghost Feast; 15 Fenner Ave., June 15, 2014, from 12 Noon to 7:00 p.m.
  - f. Farmer's Market License, Renewal, Aquidneck Grower's Market, Memorial Blvd.
  - g. Daily Entertainment License, Gladding School of Dance, d/b/a Dance Recital; Rogers High School, Wickham Road, May 23, 2014, from 6:00 p.m. to 10:00 p.m.; May 24, 2014, from 1:00 p.m. to 5:00 p.m.
  - h. Holiday Selling Licenses, New:
    - 1) Body Zen Massage & Spa, LLC, d/b/a Body Zen Massage & Spa, 10 Bellevue Ave.
    - 2) RI CVS Pharmacy, LLC, #10507 at 287 Broadway
  - i. Holiday Selling License, Renewals:
    - 1) Ash Mart, Inc., d/b/a Ash Mart, 2 Carroll Ave.
    - 2) John MacGowan, d/b/a John MacGowan Studio, 221 Spring St.
    - 3) Sonam, LLC, d/b/a Tibet In-port, 411 Thames St., Unit 1

- 4) Sonam, LLC, d/b/a Coral, 411 Thames St., Unit 3
- 5) Sonam, LLC, d/b/a Lotus, 411 Thames St., Unit 4
- 6) The Rockport Company, Inc., d/b/a the Rockport Company, 240 Thames St.
- 7) Wagon Wheel Corp., d/b/a Newport Best Sportswear, 246 Thames St.
  
- j. Private Detective License, Renewal, William J. Gearon, Jr, d/b/a DeBeers Investigations, 35 Pelham St.
  
- k. Tattooing License, Renewal, Christopher M. Helgeland; operating at Anchor Steam Tattoo Gallery, 44 Broadway.
  
- l. Communication from Felicidad Zeballos on behalf of the Spanish community of St. Joseph's Church asking permission to use Braga Park for their annual picnic, June 15, 2014, from 12 Noon to 6:00 p.m. (Approve subject to details being worked out with the city administration.)
  
- m. Communication from Carla O'Rourke, Chair, requesting permission to close Bush Street on July 4, 2014, from 3:00 p.m. to 7:00 p.m. for the 8<sup>th</sup> Annual Bush/Mann Neighborhood Block Party (Approve subject to details being worked out with the city administration.)
  
- n. Resignation of Herb Armstrong from the Beach Commission (Receive with regret)
  
- o. Communication from Colleen B. Jermain, Superintendent of Schools, re: Request for Forensic Audit—Follow up and Clarification (Receive)
  
- p. Communication from US Senator Sheldon Whitehouse, re: Highway Trust Fund (Receive)

## **LICENSES & PERMITS**

- 2. Second-hand License, New, Franklin and Company, LLC, d/b/a Franklin and Company, 32 Franklin St.

3. Holiday Selling License, New, Franklin and Company, LLC, d/b/a Franklin and Company, 32 Franklin St.
4. Special Event License, ROCJO Productions, d/b/a Aziz Ansari Show – Newport Comedy Series; Newport Yachting Center, July 31, 2014; a) First Show: 7:45 p.m.; b) Second Show: 9:45 p.m. to 11:15 p.m. **WAIVER REQUIRED TO RESTRICTIONS ON ANNUAL ENTERTAINMENT LICENSE TO ALLOW SHOW AFTER 9:30 P.M.**
5. 2014-15 Entertainment License, Renewals (List attached)
6. Sidewalk Café, New, ETC Group, LLC, d/b/a Empire Tea & Coffee, 112 William St.
7. Valet Parking Permit, Valet Connection, Inc., 174 Bellevue Ave.
8. Victualing License, New, Broadway Mini Mart, Corp., Broadway Mini Mart, 316 Broadway (new owner)
9. Victualing License, New, Brute and Hector, LLC, d/b/a Inpopnito, 435 Thames St. (2S and 2N)
10. Victualing License, New, Pink & Green, II, LLC, d/b/a Pinkberry, 359 Thames St., Unit E.
11. Victualing License, Expansion, Newport Waterfront Landing, Inc., d/b/a The Landing, 30 Bowen's Wharf, to add service areas consisting of: 150 sq. ft. on the first floor; 425 sq.ft. on the second-floor exterior deck, east side; and 1,285 sq. ft. in the portion of the premises known as the "Wharf Building" (in conjunction with expansion of the liquor license).
12. Victualing License, Expansion, Partners in Wine, Inc., d/b/a Fluke Wine Bar & Kitchen, 41 Bowen's Wharf, to include a new 272 sq. foot area on the third floor (above #49 Bowen's Wharf) (in conjunction with expansion of the liquor license).
13. Victualing License, Expansion, The Wharf Pub Newport, LLC, d/b/a The Wharf Pub, 37 Bowen's Wharf, from 407 sq. ft. to 462 sq. ft. on the outdoor deck/patio on the west side of the building (in conjunction with expansion of the liquor license).

## **COMMUNICATIONS AND PETITIONS**

14. Request from Rev. Eugene J. McKenna, representing Citizens Concerned About Casino Gambling, to address the Council regarding their opposition to a referendum for casino gambling at Newport Grand.

## **15. APPOINTMENTS TO BOARDS & COMMISSIONS**

Reappointment of C. Wayne Craft to the Beach Commission

## **RESOLUTIONS**

16. In support of House Bill 7593, passage of which would authorize a referendum on whether or not RI Legislators should be subject to the jurisdiction of the RI Ethics Commission – M. Farley, K. Leonard
17. Directing the city administration to develop a comprehensive, multi-year facilities rehabilitation plan and a proposal for a bond referendum for submission to the 2014 session of the RI General Assembly and placement on the Nov. 4<sup>th</sup> ballot – J. Napolitano, K. Leonard, J. McLaughlin, M. Farley, M. Camacho, H. Winthrop

## **ORDINANCES**

18. Amending Ordinance No. 2013-04, “Appropriation Revenues of the City of Newport for the Fiscal Year July 1, 2013, through June 30, 2014, to increase the School Department appropriation by \$395,000 (Second Reading)

## **COMMUNICATIONS FROM THE CITY MANAGER**

19. Action #5270/14, re: Bid Award #14-046 – Water Infrastructure Replacement Plan Update (with accompanying resolution)
20. Action #5271/14, re: Bid Award #14-039 – Design of Wellington Ave. CSO Treatment Facility Upgrades (with accompanying resolution)

ADJOURN AS COUNCIL AND CONVENE AS BOARD OF LICENSE COMMISSIONERS.

## **BOARD OF LICENSE COMMISSIONERS**

1. **CONSENT CALENDAR** (THE CONSENT CALENDAR IS APPROVED IN ITS ENTIRETY UNLESS THE COUNCIL REMOVES AN ITEM FOR DISCUSSION. ALL LICENSES ARE GRANTED SUBJECT TO COMPLIANCE WITH ORDINANCES #31-80 AND #98-40.)
  - a. Class F-1 Daily Liquor License:
    - 1) NewportFilm Outdoor Screening; International Tennis Hall of Fame, July 18, 2014, from 7:00 p.m. to 11:00 p.m.
    - 2) International Tennis Hall of Fame; Jazz Festival Opening Night, August 1, 2014, from 6:00 p.m. to 11:00 p.m.
  - b. Class F Daily Liquor License:
    - 1) Fort Adams Trust, d/b/a Annual Meeting; Fort Adams North Casemates, May 21, 2014, from 5:30 p.m. to 8:30 p.m.
    - 2) Fort Adams Trust, d/b/a Warrior Challenge Obstacle Course Challenge; Fort Adams Park & Fort, June 7, 2014, from 12 Noon to 4:00 p.m.
    - 3) Jesus Saviour Church, d/b/a Holy Ghost Feast; 15 Fenner Avenue. June 15, 2014, from 12 Noon to 7:00 p.m.
    - 4) Jesus Saviour Church, d/b/a 2014 Summer Bazaar; 1 Vernon Ave., July 24-26, from 7:00 p.m. to 12 Midnight.

## **LICENSES & PERMITS**

2. Application of Newport Waterfront Landing, Inc., d/b/a The Landing, 30 Bowen's Wharf, to expand its Class BV alcoholic beverage license to add service areas consisting of: 150 sq. ft. on the first floor; 425 sq.ft. on the second-floor exterior deck, east side; and 1,285 sq. ft. in the portion of the premises known as the "Wharf Building." (Hearing)
3. Application of Partners in Wine, Inc., d/b/a Fluke Wine Bar & Kitchen, 41 Bowen's Wharf, to expand its Class BV alcoholic beverage license to a new 272 sq. foot area on the third floor (above #49 Bowen's Wharf). (Hearing)
4. Application of The Wharf Pub Newport, LLC, d/b/a The Wharf Pub, 37 Bowen's Wharf, to expand its Class BL alcoholic beverage license from 407 sq. ft. to 462 sq. ft. on the outdoor deck/patio on the west side of the building. (Hearing)

ADJOURN

Kathleen M. Silvia  
City Clerk

May 7, 2014